



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/492,028 09/492,028	1/26/00 01/26/00	ZUKER	C 02507E-0926

000909 HM12/1105
PILLSBURY WINTHROP LLP
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MCLEAN VA 22102

EXAMINER	
BUNNER, B.	ART UNIT
1647	14
DATE MAILED:	

11/05/01

This is a communication from the examiner in charge of your application.

COMMISSIONER OF PATENTS AND TRADEMARKS

1. The communication filed 13 August 2001 is informal/non-responsive for the reason(s) checked below and should be corrected.
APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER OR UNTIL THE EXPIRATION OF THE PERIOD FOR RESPONSE SET IN THE LAST OFFICE ACTION (WHICHEVER IS LONGER) WITHIN WHICH TO CORRECT THE INFORMALITY.
 - a. The amendment to claim(s) _____, filed _____, fails to comply with the provisions of 37 C.F.R. 1.121 and is accordingly held to be non-responsive. A supplemental paper correcting the informal portions and complying with the rule is required.
 - b. The paper is unsigned. A duplicate paper or ratification, properly signed, is required.
 - c. The paper is signed by _____, who is not of record. A ratification or a new power of attorney with a ratification, or a duplicate paper signed by a person of record, is required.
 - d. The communication is presented on paper which will not provide a permanent copy. A permanent copy, or a request that a permanent copy be made by the Office at applicant's expense, is required, see M.P.E.P. 714.07.
 - e. Other
2. In accordance with applicant's request, **THE PERIOD FOR RESPONSE FROM THE OFFICE ACTION DATED _____ IS EXTENDED TO RUN _____ MONTH(S).**
No further extension will be granted unless approved by the Commissioner. 37 C.F.R. 1.136 (b)
3. Receipt is acknowledged of papers submitted under 35 U.S.C. 119 which papers have been made of record in the file.
4. Other

DETAILED ACTION

Status of Application, Amendments and/or Claims

The amendment of 13 August 2001 (Paper No. 13) has been entered in full. Claim 1 is amended.

Claims 1-4 and 6-8 are pending in the instant application.

Response to Amendment

1. The reply filed on 13 August 2001 (Paper No. 13) is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant did not respond to the rejection of claim 6, under 35 U.S.C. § 112, second paragraph for being indefinite because it is unclear whether open or closed term language is intended (pg 6, #8, previous Office Action (07 February 2001, Paper No. 11). See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Art Unit: 1647

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bridget E. Bunner whose telephone number is (703) 305-7148. The examiner can normally be reached on 8:00-5:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Kunz can be reached on (703) 308-4623. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-4242 for regular communications and (703) 308-4242 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0196.

BEB
Art Unit 1647
October 22, 2001

Elizabeth C. Kemmerer

ELIZABETH KEMMERER
PRIMARY EXAMINER